

10/5/95 38  
DT01 Rec'd PCT/PT 28 DEC 2004

**AMENDMENTS TO THE CLAIMS:**

*This listing of claims will replace all prior versions, and listings, of claims in the application:*

**LISTING OF CLAIMS:**

Claim 1 (Original): A method for producing a cacao fat/oil-rich chocolate drink, which comprises the step of extracting cacao nibs with water and the step of removing insoluble solids from the extract, wherein both steps are performed at a temperature higher than the melting point of cacao fat/oil.

Claim 2 (Original): The method for producing the chocolate drink according to claim 1, wherein the liquid temperature in one of the steps of extracting cacao nibs with water and of removing insoluble solids from the extract is higher than that of the other step.

Claim 3 (Original): The method for producing the chocolate drink according to claim 2, wherein the liquid temperature in the step of extracting cacao nibs with water is higher than that in the step of removing insoluble solids from the extract.

Claim 4 (Currently Amended): The method for producing the chocolate drink according to ~~any one of claims 1 to 3~~ claim 1, wherein the liquid temperature in both the steps of extracting cacao nibs with water and of removing insoluble solids from the extract or at least the liquid temperature in one of these steps, which is performed at a lower temperature, is set at any temperature higher than the melting point of cacao fat/oil, so that components to be contained in the chocolate drink can be controlled to select a taste preferred for the chocolate drink.

Claim 5 (Currently Amended): The method for producing the chocolate drink according to ~~any one of claims 1 to 4~~ claim 1, wherein the step of removing insoluble solids is followed by a homogenization step.

Claim 6 (Currently Amended): The method for producing the chocolate drink according to ~~any one of claims 1 to 5~~ claim 1, wherein the cacao nib extract after removal of insoluble solids has a cacao fat/oil content of 1 g to 200 g when calculated per kg of cacao nibs before being extracted.

Claim 7 (Currently Amended): The method for producing the chocolate drink according to ~~any one of claims 1 to 6~~ claim 1, wherein a liquid temperature higher than the melting point of cacao fat/oil is consistently used throughout the entire process, from the extraction step of cacao nibs to the homogenization step of the cacao nib extract.

Claim 8 (Currently Amended): The method for producing the chocolate drink according to ~~any one of claims 1 to 7~~ claim 1, which further comprises adding a milk-derived ingredient.

Claim 9 (Original): The method for producing the chocolate drink according to claim 8, wherein the cacao nib extract after removal of insoluble solids is mixed with a milk-derived ingredient prior to the step of homogenizing the cacao nib extract.

Claim 10 (Currently Amended): The method for producing the chocolate drink according to ~~any one of claims 1 to 9~~ claim 1, wherein the cacao nib extract after removal of insoluble solids is supplemented with cacao butter prior to the step of homogenizing the cacao nib extract.

Claim 11 (Currently Amended): The method for producing the chocolate drink according to ~~any one of claims 1 to 10~~ claim 1, wherein the resulting chocolate drink has a cacao fat/oil content of 20 mg/L to 20 g/L.

Claim 12 (Currently Amended): The method for producing the chocolate drink according to ~~any one of claims 1 to 11~~ claim 1, wherein the chocolate drink is filled into a substantially transparent container.

Claim 13 (Currently Amended): A fat/oil-rich chocolate drink, which is obtained by the method according to ~~any one of claims 1 to 12~~ claim 1.

Claim 14 (Original): The chocolate drink according to claim 13, which is filled into a substantially transparent container.

Claim 15 (Original): A method for producing a cacao fat/oil-rich chocolate drink, which comprises the step of removing insoluble solids from a hot water extract of cacao nibs, wherein the liquid temperature in the step of removing insoluble solids from the extract is set at a temperature higher than the melting point of cacao fat/oil.